

FILED

NOV 23 2011

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHAEL J. HARTNETT,

No. C 11-05089 EJD (PR)

Plaintiff,

ORDER OF DISMISSAL

v.

STEVE FRIATES,


Defendant.

Plaintiff, a California prisoner, filed this pro se civil rights complaint pursuant to 42 U.S.C. § 1983. Plaintiff has filed a letter requesting the Court to dismiss the action, (Docket No. 5), which the Court construes as a motion for voluntary dismissal. Good cause appearing, Plaintiff's motion for voluntary dismissal is GRANTED. See Fed. R. Civ. P. 41(a). This action is hereby DISMISSED.

The Clerk shall terminate all pending motions and close the file.

DATED: _____

11/21/11


EDWARD J. DAVILA
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL JOSEPH HARTNETT,
Plaintiff,

Case Number: CV11-05089 EJD

CERTIFICATE OF SERVICE

v.

STEVE FRIATES,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 11/23/11, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Michael J. Hartnett T-32341
Sonoma County Jail
2777 Ventura Avenue
Santa Rosa, CA 945403

Dated: 11/23/11

Richard W. Wicking, Clerk
By: Elizabeth Garcia, Deputy Clerk